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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/736,043 | 12/12/2000 | Yue Kuo | 017575-0414 (IAMUS 1529) | 7225 |

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EXAMINER

COLEMAN, WILLIAM D

ART UNIT PAPER NUMBER

2823

DATE MAILED: 05/16/2003

Please find below and or attached an Office communication concerning this application or proceeding.

Interview Summary

Application No.

09 736 043

Examiner

W. David Coleman

Applicant(s)

KUO YUE

Art Unit

2823

All participants (applicant, applicant's representative, PTO personnel)

1. W. David Coleman

3. _____

2. Charles Suh

4. _____

Date of Interview: 14 May 2003

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No
If Yes, brief description: _____

Claim(s) discussed: 18

Identification of prior art discussed: Gardner et al. U.S. Patent 5,350,484

Agreement with respect to the claims: f) ☐ was reached g) ☐ was not reached h) ☐ N/A

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

An interview with the applicant as to the substance of the invention is required in certain cases. The interview should be conducted with the applicant or with the attorney, agent, or other representative of the applicant, or with the examiner, or with the examiner and the applicant, or with the examiner and the attorney, agent, or other representative of the applicant.

Title 37, Code of Federal Regulations (CFR), § 1.133 Interviews

(b) Applicant

When an interview with the applicant is requested, the applicant should be interviewed with the examiner. The interview should be conducted with the applicant or with the attorney, agent, or other representative of the applicant, or with the examiner, or with the examiner and the applicant, or with the examiner and the attorney, agent, or other representative of the applicant.

(2) CFR § 1.132 Business Transactions with the PTO

A business with the Patent and Trademark Office is a business transaction with the PTO. The persons authorized to conduct interviews with the Patent and Trademark Office are the examiner, the attorney, agent, or other representative of the applicant, or the examiner and the attorney, agent, or other representative of the applicant, or the examiner and the attorney, agent, or other representative of the applicant.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters directed solely to restrict or requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiner's Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No. placed in the right hand portion of the file, and listed on the Contents section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant or attorney or agent at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number, Series Code and Serial Number
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable. Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary)
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

1. A brief description of the nature of any exhibit shown or any demonstration conducted.
2. An identification of the claims discussed.
3. An identification of the specific prior art discussed.
4. An identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner.
5. A brief identification of the general thrust of the principal arguments presented to the examiner.
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
6. A general indication of any other pertinent matters discussed, and
7. If appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments. Applicants representative called the Examiner of record to inform the Examiner that all of the limitations of the rejection were not met. Applicants representative indicated that FIGS. 2A-2C did not show all of the limitations. The Examiner directed Applicants representative to columns 9 and 10 and the record as a whole. Applicants representative wanted to other attorneys from his office to review the matter with the Examiner. Applicants representative is badgering the Examiner. The Examiner of record suggested that Applicants representative file an Appeal.